

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DONOVAN CUNNINGHAM,

Petitioner,

-against-

FLOYD D. BENNETT, Superintendent,
Elmira Correctional Facility,

Respondent.
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JUDGMENT
02-CV- 4635 (ARR)

An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on May 16, 2005, denying the petition for a writ of habeas corpus; and ordering that no Certificate of Appealability will be granted; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that judgment is hereby entered denying the petition for a writ of habeas corpus; and that a Certificate of Appealability is denied.

Dated: Brooklyn, New York
May 18, 2005

ROBERT C. HEINEMANN
Clerk of Court